

## **CHILD CARE LICENSING ADVISORY COMMITTEE MINUTES**

9 July 2009

Cannon Health Building 228 North 1460 West Room 114

Salt Lake City, Utah

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**Members Present:** Dale Smith, David Rothschild, Diane Wilkinson, Carol Thompson, Ed Dieringer, Joni Hemond, Julie Shakib, Pat Marino, Carolyn Miller, and Leslie Hjorth

**Members Excused:** Michael Libeck and Jodi Jensen

**Members Absent:** Susan Williams-Ashby

**Bureau Staff Present:** Teresa Whiting, Donna Thomas, Joyce Hasting, Karrie Phillips, Sherri Lizotte, Colleen Murphy, and Sheila Oelerich

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Because there were new committee members, all committee members introduced themselves.

### **REVIEW AND APPROVAL OF MINUTES**

Minutes from May 14, 2009 were approved as written.

### **OLD BUSINESS**

#### **Update on Rule Interpretation Manual**

Ms. Murphy reported the following updates to the center interpretation manual:

- 100-2(8): A clarification of direct supervision with school-aged children and napping rooms was added.
- 100-6(8): Standing water resulting from recent rain won't be marked as noncompliance with this rule.
- 100-15(1): Providers not on a Food Program can use components of approved menus and be in compliance with this rule.
- 100-16(1): Providers can use cones to define walkways through parking lots and be in compliance with this rule.
- 100-17(4): Names of medications not needing parental permission for their administration were added. Also added was that all prescription medications need parental permission before their administration.

Ms. Oelerich reported the following update to the family interpretation manual:

- 90-17(3)(a): Porta-cribs with tears that measure more than 2 3/8 inches in their netting will not be considered in good repair.
- 90-6(15)(a)-(b): Three foot use zones extend above outdoor play equipment. Items such as tree branches cannot be in such areas.
- 90-10(12): Fire and disaster drills need to be held at least two different days of the week and at different times of the day.
- 90-12(4)(d): The following were added to the list of items that need to be inaccessible to children: weed killer, linseed oil, and silver jewelry cleaner.
- 90-13(3): Sign-in and sign-out sheets must be completed at each child's arrival and departure from the home. At any time, the sign-in/sign-out sheet must accurately reflect the children in the provider's home, so that in the event of an emergency all children can be accounted for.
- 90-17(4): Names of medications not needing parental permission for their administration were added. Also added was that all prescription medications need parental permission for their administration.

### **Update on the Out of School Time Rules**

Ms. Whiting reported that these rules will be out for public comment until July 31<sup>st</sup>. As of the date of the meeting, no comments had been received.

### **Update on the Implementation of SB81 (verifying providers' legal status)**

Ms. Whiting reported that the Bureau has now implemented the requirements of SB81. This means that the Bureau cannot issue new or renewal licenses or certificates until they verify the legal status of the licensee or certificate holder. This is because licenses and certificates are considered public benefits.

For this verification, the Bureau is requiring signed affidavits and accompanying documentation. For U.S. citizens, this documentation includes either a birth certificate or state-issued ID card (such as a driver's license) with a photo, or a passport. For naturalized U.S. citizens, it is government issued certificate of naturalization. For qualified aliens, it can be a green cards, a permission to work card, or a permanent alien resident cards. For qualified aliens, these documents are verified using the federal Homeland Security SAVE database. A copy of each provider's documents are kept in the provider's file.

The Bureau is not verifying the legal status of centers whose owners are a corporation, a LLC, a partnership, or who have a 501(c)(3) status because such structures have their own requirements for verification of legal status.

The Bureau does not know how this process will impact the number of providers or how many providers will choose to provide unregulated care. The Bureau won't know the full impact until next year when all present providers have been through the process.

### **Update on Voluntary Quality Rated/Starred Licenses**

Ms. Whiting summarized the discussion to date of implementing a quality rating to provider's licenses. The quality ratings would be for going above and beyond licensing rules; the number of stars would depend on the number of criteria met by the provider. There would be no cost to the Bureau, because the criteria would be items already assessed by licensors, or items that could be assessed with the submission of written documentation.

This program cannot be implemented until after the Bureau's new database is up and running. This will hopefully happen in the spring. The next phase of the database can include the addition of fields needed for this program.

Mr. Smith stated that this would be a benefit to parents using child care and looking for child care. Ms. Whiting added that it could be a marketing tool for providers.

Mr. Dieringer said that the majority of states have such quality indicators attached to their licenses, and he supports the implementation of such a program in Utah.

Mr. Rothschild added that this could be an alternative to the information on the Tribune web page. After some discussion about the Tribune web page, the committee requested that Sherri invite the person responsible for the GRAMA request for this web page to the next Advisory Committee meeting.

The committee all expressed support for this program and Mr. Smith approved the formation of a sub-committee to come up with suggestion for the criteria for the quality indicators. He appointed two co-chairpersons for the committee. Mr. Marino will represent center providers and Ms. Wilkinson will represent home providers. Ms. Hjorth volunteered to be on the committee and Mr. Smith wants to stay involved with the committee. Ms. Hastings and Ms. Phillips, part of the Bureau staff, volunteered to be on the committee. Ms. Whiting will send an e-mail to the committee and interested parties inviting them to submit their name and contact information to a chair of the committee if they are interested in being a member.

### **Findings which, if corrected on-site, do not require a follow-up visit**

Ms. Whiting reviewed the list of findings which, if corrected on-site, do not require an on-site follow-up visit. She explained that some of the items are ones which, after being corrected, are permanently correct, and so would not again be out of compliance. She also explained that some

of the items are paperwork items and the missing or incomplete paperwork could be submitted to the licensor.

Mr. Smith asked if the list can be posted on the Bureau's web page and Ms. Whiting agreed to do so.

## **NEW BUSINESS**

### **Parental permission for field trips (David Rothschild)**

Mr. Rothschild discussed the rule requiring advanced written parental permission for field trips. He said that many times young children become antsy and benefit from spontaneous walking field trips and current rule interpretation does not allow for this. He would like to post a note on the center's door of the children's location for parents who arrive to pick up children when they are not at the facility.

There was discussion about what should be taken on these walking field trips, if they cause problems for parents, and what would differentiate them from other field trips.

It was decided that committee members would take until the next meeting to think about this issue and come back with suggestions for updating the interpretation manual for this rule. They will consider the distance from the center, the method of transportation, how long children would be away from the center, and what staff will take with them when they leave the center.

## **PUBLIC COMMENTS**

Ms. Thompson had comments about the last playground inspection at her center. She was concerned that providers cannot check for compliance without the assessment tools used by the licensors, and stated that she was unaware of some of the needed corrections the Licensor found during her last playground inspection. Her board of directors was concerned about this. Ms. Thompson also had concerns about the cost associated with coming into compliance with rules for the outside playground equipment.

Ms. Whiting said she could not comment on a specific inspection without having reviewed the findings and talked with the Licensor. She said she would look into the possibility of having Licensors inspect in the current year for both the current year's rules, and the rules that will go into effect next year (based on the playground rule phase-in schedule). This would give providers advance notice, before their inspection takes place, of items that will need to be corrected next year.

There were no other comments from the public.